1  QUIN DENVIR, Bar #49374
   Federal Defender
2  DANIEL J. BRODERICK, Bar #89424
   Chief Assistant Federal Defender
3  801 I Street, 3rd Floor
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4  Telephone (916) 498-5700

5  Attorneys for Defendant
   MICHAEL SCOTT RASMUSSEN

6

7                  IN THE UNITED STATES DISTRICT COURT

8               FOR THE EASTERN DISTRICT OF CALIFORNIA

9

10 UNITED STATES OF AMERICA,      )
                                  )    Case No. CR. S. 04-483-GEB
11               Plaintiff,       )
                                  )    **STIPULATION AND ORDER CONTINUING**
12          v.                    )    **SENTENCING AND MODIFYING SENTENCING**
                                  )    **SCHEDULE**
13 MICHAEL SCOTT RASMUSSEN        )
                                  )    DATE: December 16, 2005
14               Defendant.       )    TIME: 9:00 a.m.
                                  )    JUDGE: HON. GARLAND E. BURRELL, JR.
15 _____)

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18      Mr. Rasmussen is currently scheduled to be sentenced on November

19 18, 2005.  It is hereby stipulated and agreed to between the United

20 States of America through ROBIN TAYLOR, Assistant U.S. Attorney, and

21 defendant, MICHAEL SCOTT RASMUSSEN, by and though his counsel, DANIEL

22 J. BRODERICK, Chief Assistant Federal Defender, that the sentencing be

23 continued until Friday, December 16, 2005, at 9:00 a.m.  It is further

24 stipulated and agreed that the sentencing schedule be modified as

25 follows:

26      1.  Defendant's Motion for Correction of the Presentence Report

27 and Sentencing Memorandum shall be filed no later than November 16,

28

1    2005.   A copy of this motion and memorandum shall be filed with the

2    United States Probation Office; and

3        2.   Plaintiff United States' Optional Reply or Response to

4    Defendant's Motion or Sentencing Memorandum shall be filed no later

5    than December 7, 2005.

6        The parties further stipulate and agree that if plaintiff United

7    States needs additional time to respond, a modification of this

8    schedule and an additional continuance of Mr. Rasmussen's sentencing

9    may be obtained.

10        This continuance is being requested because the defendant's

11   objections and sentencing memorandum will likely involve an atypical

12   application and discussion of U.S.S.G. §5G1.3 and the additional time

13   will permit opposing counsel, probation, and the Court sufficient

14   opportunity to review this discussion.

15   DATED: November 4, 2005        Respectfully submitted,

16                                  QUIN DENVIR
                                    Federal Defender
17

18                                  /s/ Daniel J. Broderick
                                    DANIEL J. BRODERICK
19                                  Chief Assistant Federal Defender
                                    Attorneys for Defendant
20                                  MICHAEL SCOTT RASMUSSEN

21

22                                  McGREGOR SCOTT
                                    United States Attorney
23

24

25   DATED: November 4, 2005        /s/ Daniel J. Broderick for
                                    ROBIN TAYLOR
26                                  Assistant U.S. Attorney

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28
     Stip & Order Continuing Sentencing **2**

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,       )
                                )       Case No. CR. S. 04-483-GEB
                  Plaintiff,    )
                                )       **ORDER CONTINUING SENTENCING AND**
           v.                   )       **MODIFYING SENTENCING SCHEDULE**
                                )
MICHAEL SCOTT RASMUSSEN         )
                                )
                  Defendant.    )
                                )
_____   )

    For the reasons stated in the parties' November 4, 2005, stipulation, IT IS HEREBY ORDERED  that the sentencing schedule in this case be modified as follows:

    1.  Defendant's Motion for Correction of the Presentence Report and Sentencing Memorandum shall be filed no later than November 16, 2005.  A copy of this motion and memorandum shall be filed with the United States Probation Office;

    2.  Plaintiff United States' Optional Reply or Response to Defendant's Motion or Sentencing Memorandum shall be filed no later than December 7, 2005; and

    3.  Sentencing shall be continued until Friday, December 16, 2005, at 9:00 a.m.

DATED:  November 10, 2005

                    /s/ Garland E. Burrell, Jr.
                    GARLAND E. BURRELL, JR.
                    United States District Judge

Stip & Order Continuing Sentencing **1**